



Paper No. 18

WINSTON & STRAWN
200 PARK AVENUE
NEW YORK, NY 10166

COPY MAILED

MAR 05 2004

OFFICE OF PETITIONS

In re Application of
Gorodetsky et al.
Application No.: 09/487,790
Filing Date: January 20, 2000
Attorney Docket No.: 25129

ON PETITION

This decision concerns the January 29, 2004 "Petition to Revive under 37 CFR 1.137(b)."

The petition is **GRANTED**.

On August 14, 2002, a "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" ("1st Notice to Comply") was mailed, setting forth a 1-month shortened statutory period for submitting a computer-readable form (CRF) copy of the sequence listing of the amino acid sequences disclosed in the application.

The CRF copy of the sequence listing filed on October 10, 2002 along with a request for a 1-month extension of time and the extension-of-time fee did not comply with the sequence rules, as indicated in the January 28, 2003 2nd Notice to Comply.

A substitute CRF copy of the sequence listing was not filed on or before February 14, 2003, and no further extension of time was obtained. The application became abandoned on October 15, 2002.

The instant petition is accompanied by a substitute CRF copy of the sequence listing which has been accepted, and a statement that the sequence listing in the CRF copy is identical to that in the paper copy originally submitted with the application. The petition also authorizes the USPTO to charge the \$665 petition fee (small entity) to Deposit Account No. 50-1407, and states in essence that the entire delay in submitting a proper CRF copy of the sequence listing from its due date until the filing of a grantable §1.137(b) petition was unintentional. The petition is thus granted.

The associate power of attorney and the new correspondence address have been entered and made of record.

The file is being returned to Technology Center 1600 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions